

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to:
MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.

Dated: September 8, 2006 Signature

(Anthony G. Sitko)

Docket No.: 30521/3050
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
James S. Collins

Allowed: June 9, 2006

Application No.: 10/634,552

Confirmation No.: 6040

Filed: August 5, 2003

Art Unit: 2615

For: ELECTRET CONDENSER MICROPHONE

Examiner: Suhan Ni

**COMMENTS ON STATEMENT OF REASONS
FOR ALLOWANCE UNDER 37 CFR §1.104(E)**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In addition to the reasons for allowance set forth in the allowance papers that were mailed in connection with the present application, it is respectfully submitted that the claims are allowable for the additional reasons that the invention defined by the language of the claims is neither anticipated by, nor would have been obvious when taken as a whole in view of, the art of record. Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner.

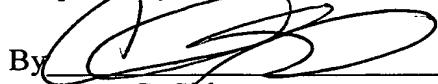
The Examiner's Statement was not prepared by Applicant and only contains the Examiner's possible positions in one or more reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant.

Moreover, the applicant notes that claim 16 sets forth, in open, "comprising" language, that the housing include "a sound inlet port." The use of the singular article "a" has long been accepted and interpreted by the Federal Circuit to include the singular and

plural. Thus, it is clear that claim 16 reads on a microphone having one sound inlet port or two or more sound inlet ports in accordance with well accepted Federal Circuit claim construction jurisprudence.

Dated: September 8, 2006

Respectfully submitted,

By 

Anthony G. Sitko

Registration No.: 36,278

MARSHALL, GERSTEIN & BORUN

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300